

Serial No: 10/673,184

Docket No: 1594.1275

**REMARKS**

The Office Action objects to claims 4-19, 22-28 and 31-37, and the Office Action rejects claims 1-3, 20, 21, 29 and 30. The rejections and objections are obviated below, and reconsideration of all claims is respectfully requested.

Applicants amend claims 1, 5, 6, 13, 20, and 29.

Accordingly, claims 1-37 are pending in the present application.

Rejection of Claims under 35 U.S.C. § 103(a)

On Page 2 of the Office Action, claims 1-3, 20 and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,253,668 issued to Lee in view of JP-2000205595A, and claims 29 and 30 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lee in view of JP-2000205595A, and further in view of U.S. Patent 5,231,849 issued to Rosenblatt.

Lee and JP-200205595A, taken separately or in combination, do not disclose, teach, or suggest at least, "a machine room, which is provided in a space which is defined above the lower portion of the outer casing and which is positioned outside of the cabinet;... a cooling set which is installed at the upper rear part of the cooling compartment," as recited in claim 1.

The above configuration provides a flexible refrigerant pipe, which connects an evaporator to a compressor. The flexibility of the refrigerant pipe permits the refrigerant pipe to be easily moved and restored. Thus, (1) the flexibility of the refrigerant pipe and (2) the configuration described in claim 1 (e.g., placement of the machine room, cooling compartment, and equipment therein) has the advantage of preventing the refrigerant pipe from being damaged even when it is necessary to move the evaporator for repair or replacement of peripheral units.

The Office Action asserts that it would have been obvious to one of ordinary skill in the art at the time of the invention to add a flexible refrigerant pipe as taught by JP-200205595A to Lee in order to freely move the compressor during repairs.

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However, Lee does not disclose, teach, or suggest a compressor located in a machine room defined above the lower portion of the outer casing so as to be provided outside the outer casing, and a cooling set installed at the upper rear part of the cooling compartment. Instead, Figure 5 of Lee shows a compressor 135 located inside a storage device 100. JP-200205595A does not cure the deficiencies of Lee.

Therefore, for at least these reasons, it is respectfully submitted that independent claim 1 patentably distinguishes over the cited references.

In addition, JP-200205595A does not disclose, teach or suggest at least, "the refrigerant pipe is able to resume a former shape," as recited in claim 2. Instead, JP-200205595A discloses a pipe (7), which is used to prevent condensation water from staying at a bellows part, and to prevent transmitting vibrations from the compressor. JP-200205595A does not disclose that pipe (7) can resume its former shape (restoration force).

In addition, claims 2-3 depend from claim 1 and include all the features of that claim plus additional features which are not taught or suggested by the cited references. Therefore, for at least the above reasons, it is respectfully submitted that claims 2 and 3 also patentably distinguish over the cited references.

Similarly, Lee and JP-200205595A, taken separately or in combination, do not disclose, teach, or suggest at least, "a machine room, which is provided in a space which is defined above the lower portion and which is positioned outside of the cabinet," as recited in claim 20.

Therefore, for at least these reasons, it is respectfully submitted that claim 20 patentably distinguishes from the cited reference.

Also, Similarly, Lee and JP-200205595A, taken separately or in combination, do not disclose, teach, or suggest at least, "the refrigerant pipe is able to resume a former shape," as recited in claim 21.

Claim 21 depends from claim 20 and includes all the features of that claim plus additional

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features which are not taught or suggested by the cited references. Therefore, for at least the above reasons, it is respectfully submitted that claim 21 also patentably distinguishes over the cited references.

Similarly, Lee, JP-200205595A, and Rosenblatt, taken separately or in combination, do not disclose, teach, or suggest at least, "a compressor to compress a refrigerant, thus increasing pressure of the refrigerant, wherein the compressor is disposed on the lower portion of the cabinet and outside of the cabinet, "as recited in claim 29.

Rosenblatt does not cure the deficiencies of Lee and JP-200205595A. Therefore, for at least these reasons, it is respectfully submitted that claim 29 patentably distinguishes from the cited reference.

Similarly, Lee, JP-200205595A, and Rosenblatt, taken separately or in combination, do not disclose, teach, or suggest at least, "the refrigerant pipe is able to resume a former shape," as recited in claim 30." Rosenblatt does not cure the deficiencies of Lee and JP-200205595A.

Objections to Claims 4-19, 22-28 and 31-37

The Office Action indicates that claims 4-19, 22-28 and 31-37 contain allowable features. However, the Office Action objects to claims 4-19, 22-28 and 31-37, because these claims are dependent upon one of the independent rejected claims 1, 20, and 29.

Claims 4-19, 22-28, and 31-37 depend from one of independent claims 1, 20, and 29 and each dependent claim includes all of the features of the independent claim from which it depends plus additional features which are not taught or suggested by the references.

Therefore, for at least the above reasons, claims 4, 6-19, 22-28, and 31-37 patentably distinguish over the cited references and are in condition for allowance.

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Summary

Claims 1-4 and 6-37 are pending. It is respectfully submitted that none of the references taken alone or in combination discloses the present claimed invention.

There being no further outstanding objections or rejections, it is respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS &amp; HALSEY LLP

Date: Feb. 26, 2005By: Gene M. Gamer, II  
Registration No. 34,172

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501

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STAAS &amp; HALSEY

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